PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

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Applicant's or agent's file reference		FOR FURTHER ACTIO	N	See Form PCT/IPEA/416
21736-0003		International filing date (day)		Priority date (day/month/year)
International application No.		1		06 November 2003 (06.11.2003)
PCT/US04/37037 08 November 2004 (08.11 International Patent Classification (IPC) or national classification and				00 November 2005 (00.11.2005)
	-	or mational diagrammania and a		
IPC: G06F 17/6 USPC: 705/37	ou .			
Applicant				
EFFICIENT AUCT				
1. This re Examin	port is the internating Authority under	tional preliminary examina er Article 35 and transmitted	tion report, establ I to the applicant a	ished by this International Preliminary coording to Article 36.
		a total of Z sheets, includ		
3. This re	port is also accomp	panied by ANNEXES, comp	rising:	
a. 🔲	(sent to the applica	ant and to the International	Bureau) a total of	sheets, as follows:
	this report a	and/or sheets containing rec 607 of the Administrative In	tifications authorizestructions).	ave been amended and are the basis of zed by this Authority (see Rule 70.16
	sheets which	h supersede earlier sheets. b	ut which this Auth	nority considers contain an amendment attention as filed, as indicated in item 4 of
b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).				
4. This re	eport contains indic	cations relating to the follow	ing items:	
Box No. I Basis of the report				
	Box No. II	Priority		
Box No. III Non-establishment of opir applicability			ion with regard to novelty, inventive step and industrial	
	Box No. IV	Lack of unity of invention		
Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step industrial applicability; citations and explanations supporting such statement			th regard to novelty, inventive step or ons supporting such statement	
Box No. VI Certain documents cited				
Box No. VII Certain defects in the international application			ı	
Certain observations on the				
Date of submiss	ion of the demand		Date of completion	on of this report
-06 September 2005 (06:09:2005)			03-April 2006 (03.04.2006)	
Name and mailing	address of the IPEA		Authorized officer	
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents			Vincent Millin	may to
P.O. Box 1450 Alexandria, Virginia 22313-1450		in		V
Facsimile No. (571) 273-3201			Telephone No. (5	71) 272-5250
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Form PCT/IPEA/409 (cover sheet)(April 2005)

INTERNATIONAL	DDELIMINARY	REPORT (ON PATENTA	BILITY
INTERNATIONAL	LICELATIVITY	TABLE CALL	OTA T WITH A VY	-

International application No.
PCT/US04/37037

Box No.	I Basis of the report
1. With	regard to the language, this report is based on:
	the international application in the language in which it was filed.
П	a translation of the international application into, which is the language of a translation furnished for the
	purposes of:
	international search (under Rules 12.3 and 23.1(b))
	publication of the international application (under Rule 12.4(a))
	international preliminary examination (under Rules 55.2(a) and/or 55.3(a))
to the	regard to the element s of the international application, this report is based on (replacement sheets which have been furnished receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not seed to this report):
	the international application as originally filed/furnished
\bowtie	the description:
	pages 1-65 as originally filed/furnished received by this Authority on
	pages* received by this Authority on
abla	
X	the claims: pages 67-74 as originally filed/furnished
	pages* as amended (together with any statement) under Article 19
	pages* received by this Authority on
	pages* received by this Authority on
	the drawings:
_	pages 1-23 as originally filed/furnished
,	pages* received by this Authority on
	pages* received by this Authority on
	a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.
з. 🔲	The amendments have resulted in the cancellation of:
	the description, pages
ĺ	the claims, Nos
	the drawings, sheets/figs
]	the sequence listing (specify):
	any table(s) related to the sequence listing (specify):
4.	This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
	the description, pages
i	the claims, Nos.
	the drawings, sheets/figs
	the sequence listing (specify):
	any table(s) related to the sequence listing (specify):
* If ite	m 4 applies, some or all of those sheets may be marked "superseded."

Form PCT/IPEA/409 (Box No. I) (April 2005)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/US04/37037

Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
N	ovelty (N)	Claims NONE	_YES
		Claims 1-74	_NO
In	ventive Step (IS)	Claims NONE	YES
		Claims 1-74	NO
In	dustrial Applicability (IA)	Claims <u>1-74</u>	YES
		Claims NONE	NO

2. Citations and Explanations (Rule 70.7)

Claims 1-74 lack novelty under PCT Article 33(2) as being obvious over Sandholm in view of Fisher et al.

Re claims 1-5 and 12-74, Sandholm teaches a computer implemented method for at least one computer receives bids and determines an allocation of at least one of the items, the auction including a dynamic auction phase following by a later phase, the later phase comprising a package auction (figs.1-2), the method comprising:

d) implementing the dynamic auction phase on a computer, said dynamic auction phase comprising:

- al) receiving bids from at least one bidder, said bids including at least an indicator of at least one of the items (col. 5, lines 18-56);
- a2) determining whether the dynamic auction phase of the auction should continue (col. 13, lines 22-45);

a3) outputting auction information (fig. 5); and

a4) repeating a1)-a3) if the dynamic auction phase of the auction is determined to continue (fig. 7);

- e) changing from the dynamic auction phase to the later phase, following a determination not to continue the dynamic auction phase (col. 9, line 45 to col. 10, line 67); and
- f) implementing the later phase of the auction on a computer, the later phase comprising a package auction, said later phase (figs 6 and 8) comprising:
- c3) receiving bids from at least one bidder, said bids including at least an indicator of a package of items and an associated price for the package (col. 4, lines 36-65); and
- c4) determining an allocation of at least one of the items to one of the bidders based on received bids (col. 7, lines 1-49). However, Sandholm does not explicitly teach conducting an auction of a plurality of items. On the other hand, Fisher discloses conducting an auction of a plurality of items (col. 4, lines 46-67; col. 6, lines 31-57; figs. 10 and 12). He discloses conducting a multi-person, interactive auction wherein the system allows a group of bidders to interactively place bids over a computer or communications network. Thus, it would have been obvious to one of ordinary skill in the art to accepting payment from sending party to an intended receiving party over a network via electronic communication as discloses in Fisher.

Re claims 6-11, Fisher teaches bids are constrained by a revealed-preference activity rule in the dynamic auction phase (col. 11, lines 21-45; fig. 11).

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY REC'D 0 4 MAY 2005 (Chapter II of the Patent Cooperation Treaty)

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(PCT Article 36 and Rule 70)

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21736-0003					
International application No.		International filing date (day)			
PCT/US04/37037 08 November 200		08 November 2004 (08.11.2)	004)	06 November 2003 (06.11.2003)	
Internation	al Patent Classification (IPC)	or national classification and II	PC .	ļ	
Applicant					
EFFICIEN	T AUCTIONS LLC				
1.	Examining Authority under	er Article 35 and transmitted	l to the applicant ac		
2.	This REPORT consists of	a total of Z sheets, includ	ing this cover sheet	t.	
3.	This report is also accomp	panied by ANNEXES, comp	orising:		
	a. (sent to the application	ant and to the International	Bureau) a total of	sheets, as follows:	
	sheets of the this report a and Section	e description, claims and/or and/or sheets containing rec 607 of the Administrative Is	drawings which has stifications authoriz nstructions).	we been amended and are the basis of the deed by this Authority (see Rule 70.16	
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;			al of (indicate type	and number of electronic carrier(s))	
	b. (sent to the International Bureau only) a total of (indicate type and number of electronic carrier(s)) , containing a sequence listing and/or tables related thereto, in electronic form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).				
4.					
T	K-71	Basis of the report	J		
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ŀ	_	Priority	on with regard to novelty, inventive step and industrial		
Box No. III Non-establishment of opini applicability			on with regard to no	oveny, inventive step and industrial	
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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive ste industrial applicability; citations and explanations supporting such statement			th regard to novelty, inventive step or one on supporting such statement		
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Box No. VII Certain defects in the international application					
Box No. VIII Certain observations on the international application					
Date of submission of the demand Date of completion of this report			n of this report		
06 September 2005 (06.09.2005)		-03-April 2006 (03.04.2006)			
Name and mailing address of the IPEA/ US		Authorized officer	100 la		
Mail Stop PCT, Attn: IPEA/US Commissioner for Patents			Vincent Millin	eromous p	
P.O. Box 1450 Alexandria, Virginia 22313-1450			Telephone No. (571) 272-5250		
Facsimile No. (571) 273-3201			-,		

Form PCT/IPEA/409 (cover sheet)(April 2005)

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.	 -
PCT/US04/37037	

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	the drawings:
	pages 1-23 as originally filed/furnished
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]	
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	the drawings, sheets/figs
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No. PCT/US04/37037

Box No. V Reasoned statement under Arti applicability; citations and expl	cle 35(2) with regard to novelty, inventive ste anations supporting such statement	ep or muustriai
1. Statement		
Novelty (N)	Claims NONE	YES
Novelly (1.9)	Claims 1-74	NO
Inventive Step (IS)	Claims NONE	YES
myemiye step (15)	Claims 1-74	NO
Industrial Applicability (IA)	Claims 1-74	YES
maddia ripprodomi, (5-7)	Claims NONE	NO
Re claims 1-5 and 12-74, Sandholm teaches a compallocation of at least one of the items, the auction in comprising a package auction (figs.1-2), the method implementing the dynamic auction phase on a coally receiving hids from at least one hidder, said hid.	s being obvious over Sandholm in view of Fisher et auter implemented method for at least one computer recluding a dynamic auction phase following by a later comprising: mputer, said dynamic auction phase comprising: s including at least an indicator of at least one of the of the auction should continue (col. 13, lines 22-45)	r phase, the later phase items (col. 5, lines 18-56);

a4) repeating a1)-a3) if the dynamic auction phase of the auction is determined to continue (fig. 7);

e) changing from the dynamic auction phase to the later phase, following a determination not to continue the dynamic auction phase

(col. 9, line 45 to col. 10, line 67); and

f) implementing the later phase of the auction on a computer, the later phase comprising a package auction, said later phase (figs 6 and 8) comprising:

c3) receiving bids from at least one bidder, said bids including at least an indicator of a package of items and an associated price for the package (col. 4, lines 36-65); and

c4) determining an allocation of at least one of the items to one of the bidders based on received bids (col. 7, lines 1-49). However, Sandholm does not explicitly teach conducting an auction of a plurality of items. On the other hand, Fisher discloses conducting an auction of a plurality of items (col. 4, lines 46-67; col. 6, lines 31-57; figs. 10 and 12). He discloses conducting a multi-person, interactive auction wherein the system allows a group of bidders to interactively place bids over a computer or communications network. Thus, it would have been obvious to one of ordinary skill in the art to accepting payment from sending party to an intended receiving party over a network via electronic communication as discloses in Fisher.

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